

REMARKS

Claims 1-34 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1, 7, 13, 18, 23, 25, 27, 29, 31 and 33, drawn to filtering process for calculating a median with the use of maximum value determiners, classified in class 382, subclass 262; and

Group II, claims 4, 10, 16, 20, 24, 26, 28, 30, 32 and 34, drawn to filtering process for calculating a median with the use of minimum value determiners, classified in class 702, subclass 202.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1, 7, 13, 18, 23, 25, 27, 29, 31 and 33.

Applicants submit that claims 1-34 are pending in this Application. As such, Applicants respectfully request that claims 2-3, 8-9, 14-15, and 19, which are dependent on claims 1, 7, 13, 18, respectively, be properly considered with the elected Group I.

In addition, it is respectfully submitted that the Restriction Requirement is improper in view of the fact that no serious burden is presented to the Examiner to consider all of the claims in a single application.

As set forth in § 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the restriction is not required.

Applicants respectfully submit that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. A review of the subject matter set forth in the claims would have an overlapping search. Thus, a different field of search really does not exist with regard to the claims of the present application.

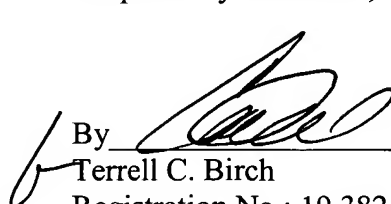
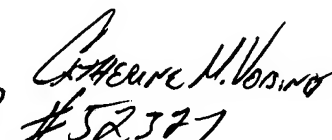
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet, Registration No 52,327, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: January 26, 2007

Respectfully submitted,

By   #52,327
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